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TAGS: [KTIP](#) [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#)

SUBJECT: Ninth Annual Trafficking in Persons (TIP) Report - Czech Republic

Ref: 08 STATE 132759

11. (U) Sensitive But Unclassified entire text; not for internet distribution.

12. (SBU) SUMMARY: The Czech Republic is meeting the Minimum Standards for the elimination of trafficking in persons as set forth in the Trafficking Victims Protection Act of 2005, in that:

a) The government provides a comprehensive anti-trafficking legal framework by which it prosecutes trafficking in all its forms. Punishments are of similar severity as sentences for other serious crimes such as rape. Thus, trafficking sentences are of sufficient severity to act as a general deterrent;

b) The government is combating trafficking by investigating and prosecuting trafficking cases, as well as convicting and sentencing guilty parties. The government also regularly provided NGOs and the USG, consistent with its ability to do so, data regarding investigations, prosecutions, convictions, and sentences;

c) The government demonstrated serious and sustained efforts to protect victims of trafficking through its National Strategy against Trafficking and through its Program of Support for Victims. The government also encouraged victim assistance in the investigation and prosecution of traffickers; and

d) The government demonstrated serious and sustained efforts to implement measures to prevent trafficking, such as informing the public about the causes and consequences of trafficking; taking steps to reduce demand for commercial sex acts; ensuring that its nationals deployed abroad as peacekeepers have been trained to detect, prevent, and punish violations of severe trafficking; and by fighting forced labor and child labor that violates international standards.

13. (SBU) Post responses are keyed to questions posed reftel.

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THE COUNTRY'S TIP SITUATION: (ref Para 23 08 STATE 132759)  
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1A. Czech Republic's official sources of information on trafficking include: the Ministries of Interior, Justice, Labor and Social Affairs, Health, and Education; the Government Council for Minorities, the Government Council for Human Rights, the State Police, as well as the NGOs La Strada, Caritas (formerly known as Catholic Czech Charities), White Circle of Safety, and Pleasure without Risk (which supports health campaigns for sex workers; and is also sometimes known as "Bliss without Risk"). The International Organization for Migration (IOM) also plays a major role in voluntary victim returns to their country of origin. In August 2008

an Interministerial Coordination Group (ICG) was established to bring these institutions together in order to make the system of coordination of activities and data collection pertaining to trafficking in people more effective. The ICG meets twice a year to coordinate activities, analyze and evaluate data on trafficking, and to plan strategy for combating trafficking. The Ministry of Interior and its Section of Crime Prevention provide day-to-day coordination of TIP activities and also administer the annual special funding program for NGOs, called "Prevention of Trafficking in People and Assistance to Victims of Trafficking."

¶B. The Czech Republic is a transit and destination country and, to a lesser degree, a source country for trafficking in persons (TIP) mainly for the purposes of sexual exploitation, but also for purposes of forced labor. Some victims are trafficked internally from areas of high unemployment to Prague and to border regions with Germany and Austria, where there is a higher demand for commercial sex services. Czech women are primarily trafficked to the Netherlands, Denmark, Great Britain, and Switzerland for work as prostitutes. Foreign and Czech women are also trafficked within the country, and are at times sold from one organized trafficking ring to another. Long-term trends have demonstrated cooperation between international criminal gangs operating within the Czech Republic and gangs operating in their home countries.

Since entry into the European Union in 2004, NGOs estimate that nearly all trafficking victims have entered the Czech Republic legally with valid tourist visas. This holds true for both forced labor and sex trafficking. (Note: Schengen rules permit entry into the Czech Republic without a visa from other Schengen countries, thereby facilitating movement of victims.)

¶C. Under promise of good jobs the traffickers lure women in their home countries to the Czech Republic where they place them in erotic night clubs and force them to prostitution in order to pay back for their visa, travel, etc. A Constitutional Court ruling from 2007 which allows municipalities to ban prostitution in their own jurisdictions has led some observers to suspect that prostitution is being pushed out of the public view and into private clubs, residences, and businesses, where it is harder to monitor.

¶D. Czech women between the ages of 18-29 with secondary or lower educations from regions of high unemployment are at the greatest risk of falling victim to sex traffickers. Women who have previously worked as prostitutes are particularly vulnerable to exploitation. Roma women are at the highest risk of being trafficked internally in the Czech Republic, and are at the highest risk among all Czech women of being trafficked outside the country. According to IOM research for the Czech government, foreign labor trafficking victims in the Czech Republic are relatively evenly divided between men and women and come from a variety of source countries, such as the former Soviet Union, especially Ukraine, Kyrgyzstan, Uzbekistan, Belarus, but also Romania, China, Vietnam, and Mongolia. They also tend to have relatively low education and to be drawn from high-unemployment regions of their countries. However, unlike sex trafficked-persons, individuals trafficked for purposes of labor show a much more widely dispersed range of ages. The Czech Republic is also a transit country for labor trafficking victims to other European Union member states.

¶E. Most trafficked women for sexual exploitation and organized prostitution come from Slovakia, Ukraine, Russia, and other countries of the former Soviet Union, and also from Vietnam, Romania, Mongolia, and Brazil. Trafficking is mainly organized by Russian-speaking organized criminal groups that are active throughout the country but mainly focused in Northern and Western Bohemia, Southern Moravia and Prague. Trafficking in Vietnamese and Chinese individuals is organized by Chinese and Vietnamese nationals and members of those communities in the Czech Republic. The language and cultural barriers with these victims has complicated police investigations; however, there were several major police operations targeting Asian traffickers during the reporting period.

In January 2007, in compliance with UN Security Council Resolution 1718, the government ended the practice of issuing visas to North Korean workers. According to the director of the Foreign Police,

all laborers have since departed the country.

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SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS: (ref Para  
24 08 STATE 132759)  
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¶A. The Czech government acknowledges that trafficking for both sexual exploitation and forced labor continues to be a problem in the country.

¶B. The lead coordinator of combating trafficking is the Ministry of Interior and its Section of Crime Prevention in particular. Other government bodies concerned with the fight against trafficking in persons are the Ministries of Justice, Labor and Social Affairs, Health, and Education, as well as the State Police. These bodies form an inter-ministerial committee, parts of which interact with anti-trafficking units of multi-lateral bodies, such as the UN, EU, and the OSCE. Additionally, the government works closely and, in many cases, funds major anti-trafficking-related projects of several NGOs, including Caritas, La Strada, and Pleasure without Risk. The government has a strong relationship with the international organization, IOM, and its volunteer return program, which aids trafficking victims wishing to return to their country of origin. In 2006, the country established a specialized police unit to combat forced labor, the first of its kind in the region. In its first two years in operation, the unit made several noteworthy raids and trafficking arrests.

¶C. The Czech Government provides significant funding to its agencies and NGO partners to implement and monitor the country's anti-trafficking campaign and aid victims. In 2008 the Czech government provided funding to its agencies and NGO partners worth almost 9,000,000 crowns (\$450,000). Through the national budget, the budget of the Ministry of Interior, and program funds from the Ministries of Health, as well as Labor and Social Affairs, the government is a major source of funds for NGO trafficking monitoring, prevention, and rehabilitation programs. In many cases, the state is the single largest contributor to a particular anti-trafficking program, such as Caritas' MAGDALA program, and to IOM's voluntary victim return program.

According to heads of the main human rights NGOs in the Czech Republic, the government's anti-trafficking efforts are on par with Western European countries that are generally considered to have effective official anti-trafficking programs, such as Germany and the Netherlands. Embassy Prague has also consistently used the International Visitor Program to train both government and NGO staff working in this area.

As strong as the government's efforts have been, NGOs and some state officials have recommended additional steps the government can take to bolster its anti-trafficking efforts. Of these recommendations, the one most generally cited is the need to establish a national, integrated, and fully searchable database containing all information on trafficking cases from official and NGO sources. In January 2008, the government accepted this and other recommendations as part of its overall 2008-2011 National Strategy plan, which envisages preparing an annual report on combating trafficking and making it public. The first annual report is due March 2009. Post was able to obtain an early draft of the report, which tracks many of the issues and data covered by the requirements of the U.S. TVPA.

Other factors may also potentially affect the government's ability to fight trafficking. In December 2007, the country entered the EU's Schengen zone, which removed land border controls from around the country. (Border checks, however, remain in place at airports inside the Czech Republic.) As the country is now surrounded on all sides by other Schengen states, the area inside the zone has no inter-state border checks. Consequently, monitoring trafficking activity into the country has become more difficult. However, there are two anti-trafficking coordination efforts with other Schengen zone countries: AGELAS, a regional police effort that monitors trafficking trends on a country by country basis; and FRONTEX, which seeks ways to boost trafficking detection in an era without external national borders.

In Cheb, a city near the German border, the government continued to support activities of its specialized police team, "Eger," throughout the reporting period. Police also continued to work closely with Roma police assistants to combat trafficking in the Roma communities. (Roma women continue to be the main victims of domestic trafficking in persons in the Czech Republic.)

The Czech Republic also has one of the highest police to citizen ratios in Europe, but still faces a shortage of officers. Therefore, the government is still looking for new police recruits. Under the well-known American policing slogan "To Protect and to Serve," the government has launched a nationwide hiring campaign for new police officers. Some of the former border police may also be available to fill vacant police positions.

Though it exists, corruption in the Czech Republic has not been a known factor in undermining police anti-trafficking efforts. Nor is Post aware of any instances where anti-trafficking program funds have been siphoned off for illegitimate use by NGOs.

1D. The government regularly scrutinizes and periodically updates its anti-trafficking campaign. On January 23, 2008, the government approved the 2008-2011 version of the "National Strategy for the Fight against Trafficking in Human Beings." (The Czech Interior Ministry works closely with other government ministries, such as Justice, Education, Health, Labor and Social Affairs; NGOs, such as La Strada, Caritas; the international organization IOM; multilateral bodies and foreign police departments and regional government partners to improve its anti-trafficking efforts. The government also conducts twice-annual inter-ministerial meetings to coordinate the government's anti-trafficking policies. The government routinely publishes extensive information relating to aspects of its anti-trafficking efforts and shares this information with relevant NGOs and regional partners.

Throughout the reporting period, Czech authorities have been highly cooperative and transparent in their interactions with Post on the government's anti-trafficking campaign. They have provided Post with up-to-date law enforcement data, information on their financial support to NGOs, work with international and regional actors, and their assessments on the overall progress of the anti-trafficking campaign. NGO directors in the Czech Republic have generally praised the government's anti-trafficking efforts.

In 2008 the Ministry of Interior of the Czech Republic joined a project submitted by Portugal and the International Center for Migration Policies Development called "Data Collection and Harmonized Information Systems." The aim of the project is to create

joint criteria for data collection and a unified data base on trafficking in people. The project that was launched in May 2008 and will be finished in September 2009 was also joined by Poland, Slovakia, and Germany.

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INVESTIGATION AND PROSECUTION OF TRAFFICKERS (ref Para 25 08 STATE 132759)  
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1A. The country's comprehensive anti-trafficking law is Section 232(a) of the general criminal code (2004). Known as the "Criminal Law against Trafficking in Persons," the law greatly expanded the country's original trafficking law which covered only trafficking for sexual purposes. The 2004 law covers all forms of trafficking and forced labor.

Section 232(a) states:

1) Whoever induces, engages, hires, lures, transports, hides, detains or delivers a person under 18 years of age to be used  
A) for sexual intercourse or other forms of sexual molestation or exploitation,  
B) for slavery or servitude, or  
C) for forced labour or other forms of exploitation, shall be punished to imprisonment for two to ten years.

2) In the same manner will be punished whoever by means of the use

of force, threat of force, deception or abuse of his mistake, stress or dependence induces, engages, hires, lures, transports, hides, detains or delivers another to be used

- A) for sexual intercourse or other forms of sexual molestation or exploitation,
- B) for slavery or servitude, or
- C) for forced labour or other forms of exploitation.

3) Offender shall be punished by imprisonment of five to twelve years,

- A) if he commits the crime stated in Article 1 or 2 as a member of an organised group,
- B) if he exposes another by such act to danger of an aggravated bodily harm or death,
- C) if he commits such act with the intent of obtaining a substantial gain, or
- D) if he commits such act with the intent of using another for prostitution.

4) Offender shall be punished by imprisonment of eight to fifteen years,

- A) if he causes by the crime stated in Article 1 or 2 an aggravated bodily harm, death or another particularly grave consequence,
- B) if he commits such act with the intent of obtaining a gain of large scope, or if he commits such act in connection with an organised group operating in more countries.

Based on the sufficiency of resources and the availability of witnesses, law enforcement authorities may also use other statutes to prosecute trafficking-related offenses. The majority of these trafficking-related cases are brought under the nation's anti-pimping statute, as it demands lower evidentiary burdens and provides speedier trials than using the trafficking statute.

Section 204 of the criminal code states:

(1) A person who engages, forces or corrupts somebody else to prostitute oneself or a person who exploits the fact that someone has sexual relations against payment, shall be sentenced to imprisonment for at most three years.

(2) A person who commits the offence mentioned in paragraph 1 by using violence, threat of violence or threat of other serious detriment or by misuse of straits or dependence of the other person shall be sentenced to imprisonment for at least one and at most five years.

(3) A sentence to imprisonment for at least two years and at most eight years shall be imposed if a person:

- A) gains a great profit by committing the offence mentioned in paragraph 1 or 2 ; or
- B) commits such an offence as a member of an organised group ; or
- C) commits such an offence against a person under eighteen (18) years of age.

(4) A sentence to imprisonment for at least five years and at most twelve years shall be imposed if a person commits the offence

mentioned in paragraph 2 against a person under fifteen (15) years of age.

The government also criminalized the possession of child pornography in November 2007. The amendment, Section 205 of the criminal code, provides sentences of up to eight years in prison for violators. The move was in response to calls for further protection for child victims of sexual exploitation, and was aimed at stopping the spread of child commercial sexual activity across the border.

In January 2009 President Klaus signed into law a new criminal code, which sets even stricter sentences for trafficking in persons and which will come into force as of January 2010.

11B. Per Section 232(a)(4), Czech law punishes trafficking in persons for sexual exploitation (or any other purpose) with sentences of up to 15 years in prison. In 2008, 29 cases were brought under the anti-trafficking statute. The statistics did not indicate how many people were involved. Ten of the cases involved trafficking in persons for the purposes of forced labor, and 19 cases involved



trafficking for sexual exploitation. By year's end, three defendants were convicted under the statute, and received prison sentences of between 1-15 years. The three defendants were not necessarily part of these 29 cases; they may be part of cases from previous years as trafficking cases in the Czech Republic can take up to two or more years to complete.

During the reporting period, 88 persons were charged under Section 204 (2) with pimping. In the same period, 60 persons were convicted under the pimping statute, and 14 of those convicted received prison sentences of between 1-5 years. The others received suspended sentences or were fined. MOI contacts said they did not keep tabs on any of the specific fines imposed. As the underlying offenses are usually trafficking-related, Czech officials maintain that these pimping cases should be considered as part of their anti-trafficking efforts.

1C. The country's anti-trafficking law, Section 232 of the criminal code, does not draw a distinction between penalties for trafficking in persons for sexual exploitation and trafficking in persons for other purposes, such as labor. Accordingly, the sentences for such offenses are identical - up to 15 years in prison. The government can also fine employers who violate work contracts or confiscate workers travel documents. Fines can be as high as 500,000 crowns (\$25,000) per occurrence. If employers use abuse, or physical or sexual assault against employees to coerce their labor they can be charged with a host of crimes, ranging from denial of personal liberty, rape, assault, sexual harassment, pimping and trafficking in persons.

1D. The maximum sentence for trafficking is similar to the sentence for other serious crimes against the person, such as rape, which also carries a maximum sentence of 15 years in prison; thus, the maximum penalty for trafficking is sufficient to act as a general deterrent.

1E. The Czech government does not disaggregate the reported statistics, so we cannot distinguish between labor versus sex related cases or cases involving children. See subsections B and C of this paragraph, above.

1F. The Czech government showed continued dedication to training police, prosecutors, judges and military officers on the significance of the social harm created by trafficking in persons. Under the government program "Prevention of Trafficking in Persons and Assistance to Victims to trafficking", the Ministry of Interior organized and led training and educational activities in cooperation with state institutions and leading human rights organizations. The training in many cases was based on major U.S. and EU trafficking case studies. During the reporting period, anti-trafficking courses were, for example, required for new judges at the country's Judicial Academy in Kromeriz.

Anti-trafficking courses were also part of continuing education requirements for more senior judges, prosecutors, and police officers. The Judicial Academy's courses focus on legal aspects of trafficking in persons as well as on the consequences of trafficking for victims. The first such course attended by 55 prosecutors and judges was held in January 2008. Lecturers included experts from the Ministry of Interior, the Organized Crime Unit of the Czech police, and the Ministry of Labor and Social Affairs. Another seminar, dealing with crimes against children through the Internet, and yet another course dealing with juvenile immigrants and trafficking of children were held for 52 prosecutors and judges in the spring.

In May 2008 the Ministry of Interior organized an international course entitled "Trafficking in Human Beings - Forced Labor and Sex

Industry" in Prague. Speakers were Czech and foreign experts, and the audience included Czech government officials and their colleagues from 19 countries. The course focused on combating organized crime, especially in trafficking in human beings, and international cooperation in this area.

During 2008 the Ministry of Interior established cooperation with the Military University in Brno where it organized a series of seminars for the Czech military on the problem of trafficking in persons.

Since 2005, the MOI and the Organized Crime Unit of the police (UOOZ) have been providing several one-day trafficking seminars at secondary police schools. During these seminars, police investigators teach academy students specifics of detecting and investigating trafficking cases, cooperating with NGOs, and providing information on assistance to victims of trafficking.

Human rights NGOs were in full agreement that the Czech police have over the last several years greatly enhanced their ability to identify victims of trafficking due to greater training and overall sensitivity to the phenomenon; they mainly credit the Ministry of Interior for making combating trafficking a cornerstone of the basic police curriculum. As most victims are currently identified by the police, NGOs place a great deal of importance on initial encounters with victims. Overall, NGO representatives stated that police effectiveness in dealing with victims in the initial contact phase was excellent and much better when compared to their efforts from just a few years ago.

The government continued to work hand-in-hand with three main non-governmental organizations: Caritas (formerly known as Czech Catholic Charities), La Strada, and Pleasure without Risk (Rozkos Bez Rizika). Caritas works in schools, as well as asylum and migrant centers, to conduct awareness campaigns among potential victims of trafficking. They also publicize the risks of trafficking and the strategies used by traffickers to entrap and coerce victims. La Strada focuses on advocacy, victim assistance, and prevention programs. Although both La Strada and Caritas provide short-term crisis intervention, Caritas, which receives subsidies from the Catholic Church, tends to focus more on providing longer-term care and support, while La Strada specializes on immediate crisis intervention. Pleasure without Risk works primarily in the field of health care advocacy for sex workers.

All of these organizations, but especially IOM and La Strada, play key roles in the government's "Program of Support and Protection of the Victims of Trafficking in Persons," which is the main government effort aimed at helping victims of trafficking.

1G. The government cooperated closely with police forces, multilateral bodies, and NGOs from neighboring countries. Under UN auspices, the national police have hosted a number of experts on crime and migration from Slovakia and Ukraine. These meetings have focused on monitoring the connection between organized crime and the movement of migrants across state borders. The Czech government also plans to address TIP during its Presidency of the European Union from January to June 2009. The Ministry of Interior is preparing two major international conferences on this topic. The first conference entitled "Joint Analysis, Joint Action - Conference of EU National Rapporteurs on Trafficking in Human Beings," supported by the European Commission and the Organization for Security and Cooperation in Europe (OSCE) will be held in Prague in March. The second conference, also being prepared by the Ministry of Interior will deal with sexual exploitation and sex business and how different European countries tackle these problems.

The government also joined a 2008-2009 international project entitled "Supranational Reference Mechanism for Victims of Trafficking in Persons in Source and Destination Countries" which is coordinated by the International Center for Migration Policy Development (ICMPD). The aim of the project is to interlink the existing national coordination mechanisms for protection and assistance to victims of trafficking in persons, unification of standards of services for victims of trafficking, and fostering international and bilateral cooperation in repatriation and reintegration of victims of trafficking. Participating countries include Portugal, Bulgaria, Romania, Albania, Hungary, Macedonia, and many NGOs.

The Ministry of Interior continued bilateral cooperation with Ukraine in the "Project ZERO," which was launched in 2007 in support of exchange of information and preparation of joint actions by both countries' police units. The project is coordinated by IOM Kiev, and it is financed by the Swedish government.

The Ministry of Labor and Social Affairs worked with the Romanian

national agency against trafficking in persons on prevention of trafficking and exploiting Romanian citizens working in the Czech Republic. Similar bilateral efforts were conducted with officials from Moldova, Mongolia, Slovakia, Sweden, and Poland.

The International Organization of Migration conducted two projects in the Caucasus and Central Asia on the prevention of trafficking in persons ("Support of Migration Management in Georgia and Moldova - 2008" and "Support of Migration Management in Central Asia - 2008"). These projects were focused on exchanging experiences between Czech experts and partners in Georgia, Moldova, Kyrgyzstan, Kazakhstan, and Tajikistan in the area of border control, as well as fighting illegal migration and organized crime.

The Interior Ministry continued its three-year program (2007-2009) of training higher police management in West Balkan countries, especially Macedonia and Bosnia Herzegovina, in the area of combating organized crime (terrorism, drugs, financial crime, and trafficking in persons). The program consists of sending missions of experts to those countries and a follow-up training of those countries' experts in the Czech Republic.

During the reporting period, the Ministry of Interior continued to fund a program between Caritas in the Czech Republic and Ukraine. The program's aim is to reduce illegal migration to the Czech Republic from Ukraine, a leading source country of trafficked persons to the Czech Republic. Through the "Prevention of Illegal Migration from Ukraine" program, Caritas operates information centers throughout Ukraine, at which they distribute free information pamphlets and job advice to would-be migrants. The program aims to increase the number of legal temporary and long-term stays from Ukraine, while reducing the number of illegal migrants. Another goal of the project is to eliminate the need for intermediaries and brokers that frequently resort to illegal and extortive practices.

The Foreign Ministry continued its anti-trafficking outreach programs with both foreign embassies in Prague and Czech consulates and embassies abroad. The ministry provided the foreign embassies in Prague with anti-trafficking pamphlets, prepared in their own languages, including Serbian, Polish, and Ukrainian. These cards provided emergency contact information for trafficking victims and names and contact information for NGOs, such as La Strada and Caritas, concerned with helping victims. The pamphlets were also distributed by Czech NGOs within the Czech Republic and by the Ministry of Foreign Affairs at its embassies and consulates abroad. A smaller version of the card can be placed into the passports of visa applicants applying at Czech missions located in high-risk source countries. In 2007, the ministry added the Romanian embassy in Prague to its list of those receiving the pamphlets. The problem of trafficking in persons was included in training consular officers before departure to missions, especially in Russia, Ukraine, Belarus, Moldova, Serbia, Macedonia, Albania, Bosnia Herzegovina, Romania, Bulgaria, and Vietnam.

1H. Although the Czech government has adopted the European Arrest Warrant (EAW), current interpretation of the Czech Constitution forbids extradition of Czech nationals charged in foreign courts. As such, no Czechs have been extradited under the EAW. However, the government does extradite foreign nationals facing trafficking charges in other jurisdictions. This happened, for example, in 2006 when the government extradited three Israeli nationals wanted in Israel for trafficking Ukrainian women.

1I. There was no evidence of government involvement in or tolerance of trafficking on either a local or institutional level during the reporting period.

1J. There were no credible allegations during the reporting period that members of the government engaged in or facilitated trafficking in persons.

1K. Activities of the prostitute are not currently criminalized under the Czech criminal code. Pimping is, however, illegal under Section 204 of the Czech criminal code. As there are no legal provisions covering prostitution on the national level, there are no national regulations governing the activities of sex workers or brothel owners.



In March 2007, the Czech Constitutional Court ruled that cities and towns have the authority to ban "continuous breaches of public

order" and fine violators up to 30,000 crowns (\$1,500) per violation. Several municipalities, such as Dubi and Usti nad Labem near the German border, and Prague (as of January 2008), have used the injunction to ban prostitution within their jurisdictions, or to restrict it to a limited number of "permissible zones" outside of populated areas. In January 2009 Chomutov, another town near the German border, installed cameras monitoring prostitutes and their clients in downtown streets popular with sex tourists to reduce or eliminate sex tourism in the city. Chomutov authorities also plan to place billboards warning sex tourists of contagious diseases they could contract from prostitutes. While these injunctions may reduce prostitution, NGOs state that it may also force the activity into more private surroundings that are more difficult to monitor, or simply move it to nearby towns.

A person reaches full legal capacity in the Czech Republic at the age of 18. The age of consent to have sex, however, is 15. NGOs have noted that this discrepancy creates a murky area where children as young as 15 can be drawn into prostitution. If they engage in sex for money and are directed to do so by someone else (such as a pimp), they can be pressured by that person or their own financial desperation to tell investigators that they entered into the act of their own free will. For that reason, Caritas has requested that the government raise the age of consent to have sex from 15 to 18. However, the new criminal code that will come into force in January 2010 did not make this change. On the contrary it envisages lowering the age of consent to have sex to 14.

L) In April 2007, the government began mandating anti-trafficking courses for senior military officers participating in international peacekeeping efforts. In April 2008, 65 senior military officers took part in a four-month anti-trafficking course at the Defense University in Brno. As part of the new 2008-2011 National Strategy, the government made plans to expand these programs to cover additional peacekeeping forces that will serve under UN and EU commands.

M) In a significant move, the government criminalized the possession of child pornography in November 2007. Section 205 of the general criminal code now provides sentences of up to eight years in prison for violators. The move was in response to calls for further protections for child victims of sexual exploitation, and is aimed at stopping the spread of commercial child sex across the border. In the first nine months of 2008, 38 minors were detained and released for soliciting sex in public for money. Most of the children were between the ages of 15-18 and said they had prostituted themselves voluntarily. (In 2007, there were 35 such cases.)

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PROTECTION AND ASSISTANCE TO VICTIMS (ref Para 26 08 STATE 132759  
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1A. The primary vehicle by which the government assists trafficking victims is its "Program of Support and Protection of Victims of Trafficking in Human Beings" (hereinafter referred to as the "Program of Support"). The Program of Support was established in 2003 as a pilot program, but has since become a permanent government-funded program and part of Czech law. The Program of Support is open to both foreign and Czech victims of cross-border or internal trafficking, and involves close cooperation between the government, NGOs, and the police. The Program of Support was originally designed for sex trafficking victims, but since 2004 it has been expanded to include victims of forced labor and other trafficking.

Victims in the Program of Support are granted benefits regardless of country of origin or citizenship. The government provides medical, psychological, and crisis counseling to Program participants. While the government funds most of the Program costs from its general budget and MOI and MOH budgets, the actual day-to-day services are provided by NGOs, such as Caritas and La Strada.

The program consists of three stages. In stage 1, the victim is given basic crisis intervention, psychological assistance, and is accommodated by an NGO in a shelter for an initial "reflection period." During this time, victims receive full care and decide whether they would like to cooperate with police investigating their traffickers. Under the law, the victim cannot be deported during this stage and cannot be arrested or fined for underlying offenses that were committed as part of being trafficked, such as previous illegal stays in the country, current overstays, false documents, etc.

In stage 2, if the victim agrees to cooperate with the police and is

accepted into the long-term program, the victim receives a visa for the duration of the criminal proceedings against the traffickers. During this time, s/he has legal status in the Czech Republic and may work. Victims in the Program of Support are housed in shelters and given financial support, counseling by social workers, psychological and legal counseling, employment coaching, and health care.

The third stage starts upon completion of the criminal proceedings against the traffickers, and victims are offered either an assisted voluntary return to his/her country of origin or the opportunity to apply for permanent residence in the Czech Republic for humanitarian reasons.

Several revisions to the Program expand the social services and legal protections granted Program participants. The most significant change came into force in December 2007 and expanded the initial "reflection period" of participants from 30 to 60 days.

Additionally, whereas the previous version of the law gave the Deputy Minister of the Interior the authority to approve admission into the long-term Program, the 2007 changes give that power to the director of the MOI's Crime Prevention Department. This change is intended to speed up the process of getting applicants into the Program and expanding the number of people receiving Program benefits.

A 2008 provision relaxes the previous requirement that victims must testify against their traffickers as a condition of joining the long-term Program. Victims now do not have to "cooperate" with police in order to participate in the Program.

Participants who have cooperated with police may receive permanent residency at the end of their cases. In 2008, 24 persons (17 women and seven men) participated in the program, four of whom were from the Czech Republic; seven from Ukraine; six from Romania; three from Brazil; one each from Slovakia, Russia, Kirgizstan, and Uzbekistan.

Victims may choose to voluntarily withdraw from the Program of Support at any time. Victims may also apply for asylum under the normal Czech asylum process. For victims who choose not to participate in the Program of Support, NGOs such as La Strada and Caritas operate victim shelter and care facilities and ensure victims receive proper medical attention, including optional screening for HIV/AIDS and other sexually transmitted diseases. All of the major NGOs dealing with trafficking victims received government funding.

1B. In 2008, La Strada provided comprehensive services, including shelter and care, to approximately 50 victims. They had direct contact with potential victims through their hotline and in visits to sex clubs and to at-risk areas. Caritas provided comprehensive services, including shelter and counseling, to 26 victims (18 women, four men, and four children). In June 2008 Caritas opened another center that offers emergency shelter for victims, including for minors. Of the total victims helped by the two NGOs, 24 were enrolled in the Program of Support. La Strada and Caritas assisted an additional several hundred victims through outreach programs in sex clubs and on the streets.

In 2008 the Ministry of Labor and Social Affairs provided funding to La Strada and Caritas for providing social services to victims of trafficking in the amount of 5,670,000 crowns (\$283,500). Another

source of funding of these facilities and services is the European Social Fund. The government also funds the return activities of the Czech branch of IOM. Since 2003 IOM mediated 41 voluntary returns to the victims' countries of origin, including ten victims who could return to the Czech Republic. In 2008, ten voluntary returns were realized: four victims returned to Romania; three to Brazil; and one each to Ukraine and Slovakia. One person also returned from Denmark to the Czech Republic. IOM participates in public awareness campaigns, and sponsors critical research programs used in the implementation of anti-trafficking policies.

1C. As part of the detection and screening effort, the Ministry of Health also produced a 90-page book for health care practitioners on trafficking in persons. The book defines trafficking, its causes, and manifestations. It also informs health care practitioners on how to determine whether patients are victims of trafficking, as well as outlines specific ways trafficking can damage a victim's physical and psychological health. The book also explains the Czech trafficking statute and outlines steps to take when approaching victims. Doctors and NGOs praise the publication and program for raising awareness among the medical community on how to approach and care for trafficking victims.

1D. Some victims attempt to use the asylum process to continue their residence in the country. EU membership has, however, entailed changes to asylum laws which require potential applicants to apply for asylum in the first EU country they enter. Since the Czech Republic is completely surrounded by fellow EU member states, this creates a less conducive application process for those who enter the country by land.

Police frequently provided short-term protection to potential witnesses. The protection may include physical protection, use of safehouses, and/or security monitoring. This protection may be provided for up to 60 days and may be extended with approval of the regional police director.

A witness protection law that took effect in 2002 allows the government to conceal the identity of a witness, provide a new identity and/or residence, assist the witness in finding employment, and assign bodyguards if necessary to a witness whose safety is endangered by their testimony. To date, though, these provisions have been used only rarely in connection with trafficking cases.

1E. The Ministry of Interior's Refugee Facility Administration has implemented a system by which victims and potential victims of trafficking, as well as other at-risk groups, are housed in guarded facilities to prevent unwanted contact with traffickers and provided with counseling and psychological assistance. If a potential victim is in immediate danger, the facility will refer the victim, in cooperation with the Organized Crime police unit (UOOZ), to a shelter or safehouse operated by La Strada or Caritas.

1F. The Program of Support also establishes a formal police screening and referral process for victims. In cooperation with NGOs, the government created eight questions for police to ask victims to determine if detained persons could be potential victims of trafficking. Police units receive training from NGOs in identifying victims of trafficking, and are instructed to refer victims to organizations such as La Strada or Caritas. The individual responsibilities of police, NGOs, and the government are set out in formal contracts under the Program of Support.

1G. see subsection B, this paragraph, above.

1H. The government does not have a direct screening process for prostitutes per se. However, it supports such screening through its cooperative network of NGOs. Through government-funded programs such as Caritas' MAGDALA Program and Pleasure without Risk's health campaign for sex workers, prostitutes are screened for signs of trafficking. Furthermore, the government has written and published manuals for use by doctors and hospitals on identifying victims of trafficking. Many NGOs have independent outreach programs in the prostitute communities and are thus able to screen for signs of trafficking. Police officers are also trained to ask detained persons targeted questions designed to reveal circumstances of trafficking. Once a trafficking victim is identified, s/he is

informed of the available resources in the NGO and government spheres, and can choose to either enter the Program of Support or work with the NGO missions privately.

11. The Czech Republic protects and respects the rights of victims under the Program of Support and Protection of Victims of Trafficking in Persons. Victims are given an initial 60-day reflection period in which to decide if they would like to participate in the broader Program of Support and cooperate with law enforcement authorities. During this time, they are given crisis care by an NGO, including food, clothing, shelter, and medical and psychological counseling. IOM assists victims with repatriation and, in some cases, reintegration (depending on the country) for victims who choose voluntary return. Trafficking victims who enter the Program of Support cannot be prosecuted for crimes (illegal entry into the country, visa violations, etc.) that they committed in the course of being trafficked. According to NGO contacts, trafficked persons who choose not to enter the Program still receive the initial care services from NGOs, and often choose to return to their home country on their own.

1J. Under the Program of Support, victims are encouraged to cooperate with Czech authorities investigating their traffickers. Whereas the previous by-laws of the Program of Support required a participant's testimony at court against the trafficker, 2007 changes relaxed this requirement. Now the victims' cooperation with police is no longer required.

Victims who are granted temporary residence are automatically given permission to work legally in the country. Victims are eligible to seek compensation from their traffickers either as a part of the criminal sentence or through recourse to civil suits. In order to seek civil damages, however, Czech law requires a finding of criminal conduct on the part of the defendant. In practice, claims for criminal or civil damages against the traffickers are rare, but they have been granted in the past. Although there has been some discussion of government compensation for trafficking victims, there is no Czech equivalent to the Victim-Witness Assistance Program found in some U.S. jurisdictions.

At the end of their cooperation with law enforcement, victims may qualify for permanent residency. Ultimately, a majority of victims, both inside and outside the Program, choose to return to their country of origin.

1K. The Czech government has a serious and sustained program to educate its police officers, military personnel serving abroad, and other officials on trafficking in persons. Police training has been extensively revised to include trafficking education at all levels of the police force. Both the Police Secondary Schools and the Police Academy have revised their curricula to include trafficking investigation and the identification of potential victims. Teachers at Police Secondary Schools are also provided regular specialized training on how to investigate perpetrators of sexual exploitation of children. Several multimedia educational programs, including manuals, for teachers were created (e.g. on rape and sexual assault, domestic violence, sexual exploitation of children, police work in cooperation with public and dealing with victims).

The Interior Ministry also provides a manual for police enforcement in the field of Trafficking in Persons. The manual is designed for non-specialized patrol officers to improve the investigation of trafficking cases and aid in the identification of victims. Regular round table workshops, seminars, and training programs continued with mid and upper echelon regional police officials, NGOs, and other state and municipal officials. Police have child psychologists who assist in cases involving children.

NGOs are in agreement that Czech police have greatly enhanced their ability to identify victims of trafficking due to better training and coordination with NGOs. NGOs credit the MOI for reinforcing the importance of combating trafficking in the basic police curriculum. As most victims are initially identified by the police, police sensitivity and effectiveness in dealing with victims is critical to getting the victims help. According to NGOs, police interaction with victims in the initial contact phase is generally considered excellent and better than even a few years ago. They especially



praised their direct and constant cooperation from the Organized Crime Unit and its two trafficking sections for sexual exploitation and forced labor.

The Ministry of Labor, local inspectors as well as representatives of Work Registration Offices received expanded training to assist in cases of labor trafficking.

The Ministry of Foreign Affairs produced new leaflets and an anti-trafficking manual for use by its Consular Officers serving in high-risk source and transit countries. The goal is to use the visa process as a tool to combat trafficking in persons. Literature is also translated into local languages and provided to foreign embassies in Prague. In 2007, the MOI and MFA began closely cooperating with the Romanian embassy in Prague, in an effort to combat the growing number of trafficking victims from Romania.

In order to assist Czech consular officials in identifying victims of trafficking, the Ministry of Interior has assigned officers with specialized experience to Czech Embassies in six countries of concern (China, Belarus, Egypt, Mongolia, Ukraine and Vietnam). These six countries were also chosen due to the high number of individuals from them claiming asylum upon arrival in the Czech Republic. Due to the growing number of visa applicants in Ukraine, the Czech government opened a new consulate focused primarily on visa adjudication of Ukrainians.

1L. Repatriated Czech victims of trafficking are eligible upon return to the Czech Republic to apply for benefits through the Program of Support.

1M. The Government's NGO partners remain unchanged from the 2007 Report. These NGOs provide intervention, counseling, and other assistance, and participate in the Program of Support. NGOs include:

-- La Strada. La Strada is the primary NGO providing services and awareness campaigns for young girls and women who may become, or who

have already become, victims of trafficking. Originally established with aid from the Netherlands, La Strada now obtains funding from a variety of sources, including Czech government ministries. La Strada is an NGO participant in the Program of Support. La Strada helps returning Czech women obtain new identity documents, find shelter, get legal and psychological counseling, arrange medical treatment, and gives them a limited amount of financial support. Foreign trafficking victims referred to La Strada receive the same services and are put in contact with their local embassies to obtain new passports and other documentation. La Strada also runs a hotline for victims of trafficking and parents in search of their trafficked children, with Russian-speaking volunteers once a week. Over the past year, La Strada has more than doubled its employees and is now also focusing on the forced labor issue. One of La Strada's full-time employees is dedicated to working with local migrant communities that are at high-risk for labor trafficking. The individual visits local work sites and informs laborers of their rights under Czech law.

-- Caritas. One of the most important Czech NGOs in the field of health and social care, Caritas (formerly known as Czech Catholic Charities) has established a coordination center for helping victims of trafficking in persons. Caritas is an NGO participant in the Program of Support. Caritas has a network of anonymous shelters, apartments, and other facilities throughout the country, and also refers victims to other organizations when appropriate. Caritas is the only NGO equipped to assist victims with children. Social workers assist foreign victims in obtaining medical and psychological care, as well as obtaining travel documents and arranging transportation to the victim's home country. Caritas also operates a nationwide helpline for victims of domestic violence and trafficking in persons. In 2004, Caritas also began street work with prostitutes and visits to brothels and clubs in South Moravia, along the Austrian border and Northern Bohemia, along the German border.

-- International Organization for Migration (IOM). IOM conducts public awareness campaigns focused on trafficking issues and helps women and girls to avoid falling victim to common trafficking schemes. IOM also assists in repatriating victims of trafficking; particularly those whose asylum claims have been refused. IOM has



contributed significant research to the anti-trafficking effort. IOM is a participant in the Program of Support.

-- Rozkos bez Rizika (Pleasure without Risk) is a Czech NGO with an emphasis on providing health care to prostitutes. RR participates in the Program of Support and distributes literature, offers health and disease checks (including for STDs and HIV/AIDS), and provides vaccinations. The organization has an extensive street work network both in Prague and throughout the country. Though primarily a health care organization, Pleasure without Risk questions clients to try to identify trafficking victims, and works closely with Caritas and La Strada to refer victims.

--Bily Kruh Bezpeci (White Circle of Safety). Though not a formal participant in the Program of Support, this is a Czech NGO that provides crisis support and counseling for victims of abuse, including trafficking victims.

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1A. During the reporting period, the government continued funding for an extensive demand-reduction campaign. Called the "Say it for her" campaign, the MOI and NGOs worked together to blanket 15 major metropolitan areas throughout the country with advertisements, billboards, leaflets, and signs featuring a woman bound with tape over her mouth, unable to speak. Above the woman's face, the phrase "Together against Trafficking in People" appears; the tape across her mouth reads: "Do not be afraid to say it for her!" To reach the broadest audience, the campaign also utilized an anonymous tip hotline to report possible cases of trafficking and to serve as a helpline for victims. Additionally, the campaign publicizes its website ([www.rekni-to.cz](http://www.rekni-to.cz), "Rekni to" means "Say it" in Czech.) Mirror websites are also available in English and German. The campaign is mainly targeted at Germans and Austrians, as they frequent border regions of the country, and British and American tourists, who mainly visit Prague on holiday. The "Say it for her" campaign materials were also placed in public transportation stations, at Prague airport, at border crossings with Germany and Austria, in night clubs and restaurants in cities throughout the Czech Republic. There were visual campaigns printed in tourist maps and erotic publications. Based on public feedback, both the government and NGOs believe the campaign has been effective.

The Prague city government also distributed anti-trafficking pamphlets to major hotels in the city.

The Refugee Center Administration of the Ministry of Interior continued an awareness campaign among female applicants seeking political asylum. The program informed them of the risk of trafficking and sexual exploitation. The admission centers employ social workers specializing in at-risk groups to counsel women.

1B. The government carefully monitors migration policies and statistics for evidence of trafficking, and it works with international organizations and NGOs to gather information on immigration and trafficking patterns.

1C. The government maintains an inter-ministerial working group on trafficking that meets every six months. The Czech Interior Ministry, which takes the lead on the trafficking campaign, works closely with other government ministries, such as Justice, Education, Health, Labor and Social Affairs, NGOs, multilateral bodies, and foreign police and government partners to improve its efforts.

The government, through its annual budget as well as through the program budgets of various ministries, is the primary funder of human rights NGOs in the Czech Republic dealing with trafficking issues. Relations between the government and these organizations are excellent, and the NGOs have a very strong working relationship among themselves. Most of the staff from one organization know and work closely with those from another. NGOs generally praise governmental efforts to provide consistent and close coordination with them on trafficking issues. NGOs, police and government officials regularly meet to exchange best practices that help improve and implement anti-trafficking campaigns and criminal

investigations. Lead representatives from these NGOs tell Post that the Czech government takes the fight against trafficking seriously, and is doing an excellent job.

¶D. In January 2008, the government unveiled its 2008-2011 National Strategy for the Fight against Trafficking in Human Beings ("National Strategy"). This is the third such national plan, which is the government's blue-print for anti-trafficking policy and coordination efforts with NGOs. The government has been using such plans since 2003. Directors of the major human rights NGOs in the Czech Republic, Caritas and La Strada, have told Post that the government regularly seeks their input on the changes for upcoming versions of the National Strategy and has incorporated many of their recommendations into the final versions of the documents.

¶E. See subsection A, this paragraph, above.

¶F. Protection of minors has been a government trafficking-related priority since 2003, when the first National Strategy was released. Since then, the government has worked closely with 1) NGOs to provide shelters, food, clothing and medical and psychological counseling to trafficked minors; and with 2) police and prosecutors to more vigorously prosecute their traffickers. Throughout the reporting period, the government also continued to implement its "National Plan in the Fight against Child Exploitation."

In April 2007 the "Our Child Foundation" NGO launched an Internet hotline fighting spreading child pornography on the Internet. Hundreds of e-mails, web pages with dangerous and inappropriate contents have been announced on this hotline since its launch. Our Child Foundation has submitted all relevant cases for further police investigation.

In a significant move, the government criminalized the possession of child pornography in November 2007. Violators face sentences of up to eight years in prison. The move was in response to calls for further protections for child victims of sexual exploitation, and is aimed at stopping the spread of child-based commercial sex activity.

In January 2008, the International Organization for Missing and Exploited Children held a four-day conference in Prague focusing on crimes committed against children on the Internet. The conference, co-sponsored by Microsoft, Interpol, and the Czech Ministry of Interior, was attended by judges, prosecutors, and police. More than 100 experts spoke on various hi-tech methods used by criminals to lure children into dangerous encounters on the Internet.

Throughout the reporting period, the MOI and Ministry of Education continued to fund and provide educational material for teachers to use in lesson plans focused on trafficking in persons. Teachers may download the material free of charge from the ministries' websites

and can freely reproduce and adapt the material for their students' use.

¶G. The government began mandating anti-trafficking courses for senior military officers participating in international peacekeeping efforts. In November 2008, an anti-trafficking seminar for senior military officers was held at the Defense University in Brno. In January 2009, another anti-trafficking seminar was organized at the Defense University in Brno for a group of senior military officers and other peacekeeping forces prior to their departure to UN and EU peace-keeping missions.

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CONTACT  
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The embassy point of contact for trafficking issues is Helena Markusova, Political-Economic Section, tel: 420-257-022-372, fax 420-257-022-817, email: MarkusovaH@state.gov. Post estimates Mrs. Markusova (FSN-10) spent 110 hours researching and preparing the 2009 TIP report (time does not include non-report related TIP activity throughout the course of the year). Other embassy staff spent approximately 10 hours preparing the report.

THOMPSON-JONES